

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT AGRICULTURE

1. **Title and its heading:** 3, Agriculture
Chapter and its heading: 4, Department of Agriculture - Plant Services Division
Article and its heading: 4, Seeds
Section numbers: R2-4-407
2. **The subject matter of the proposed rule:**
This rulemaking clarifies that the inspection fee must be paid with the application fee at the time of application.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Shirley Conard, Rules Specialist

Address: Department of Agriculture
1688 W. Adams, Room 235
Phoenix, AZ 85007

Telephone: (602) 542-0962
Fax: (602) 542-5420
E-mail: shirley.conard@agric.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., and oral comments will be accepted Monday through Friday, 8 a.m. to 4 p.m., at the address listed in question #4.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF DISPENSING OPTICIANS

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 20, Board of Dispensing Opticians
Article and its heading: 1, In General
Section numbers: R4-20-104 and R4-20-112
2. **The subject matter of the proposed rules:**
R4-20-104(D) and R4-20-104(E) currently allow a person to substitute a passing score on an opticianry examination or contact lens examination for portions of the written examination if the score was obtained within 6 years before an application date. The Board is repealing the 6-year period to allow an individual who has passed the examination at any time to substitute the examination for portions of the written examination. Additionally, the Board has determined that it must increase its fees in order to continue its licensing and oversight functions.
3. **A citation to all published notices related to the proceeding:**
Not applicable.

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4. Name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Careen Heinze, Executive Director
Address: 1400 W. Washington, Room 230
Phoenix, Arizona 85007
Telephone: (602) 542-3095
Fax: (602) 542-3093
E-mail: asdo@primenet.com

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Board will continue to accept written comments at the location listed above between 8 a.m. and 5 p.m, Monday through Friday, until the close of record.

6. A timetable for agency decisions or other action on the proceeding:

None.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PHARMACY

1. Title and its heading: 4, Professions and Occupations

Chapter and its heading: 23, Board of Pharmacy

Articles and their headings: 1, Administration
2, Pharmacist Registration
6, Permits and Distribution of Drugs

Section numbers: To be determined

2. Subject matter of the proposed rule:

H.B. 2448 was passed during the 1999 legislative session and signed into law by Governor Hull. This bill relates to the sale, transfer, or furnishing of a precursor chemical or regulated chemical as defined in the federal act and mandates that anyone who sells, transfers, or furnishes these chemicals to anyone in this state be permitted by the Board and under Title 32, Chapter 18. The Board presently only issues permits to manufacturers, wholesalers, pharmacies, and retailers who reside in Arizona. This legislation requires the Board to permit nonresident wholesalers. The rule adds necessary definitions and fees to Sections R4-23-110 and R4-23-205 and a new Section to Article 6 detailing the performance standards for nonresident full service and nonprescription drug wholesalers. Because Section R4-23-605, Drug Wholesaler Permit, was identified for necessary updating in the Board's 5-year rule review, the rule includes amendments to bring R4-23-605 up to today's standards for a clear, concise, and understandable document.

The agency docket number, if applicable:

R9905

3. A Citation to all published notices relating to the proceeding:

None.

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Dean Wright, Compliance Officer
Address: Board of Pharmacy
5060 North 19th Avenue, Suite 101
Phoenix, Arizona 85015
Telephone: (602) 255-5125, Ext. 131
Fax: (602) 255-5740
E-mail: rxcop@uswest.net

5. The time during which the agency will accept written comments:

The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m. Oral comments may be made:

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Time: 8 a.m. to 4:30 p.m., Monday through Friday

Location: Arizona Board of Pharmacy
5060 North 19th Avenue, Suite 101
Phoenix, Arizona 85015

Nature: Oral comments

Written and oral comments will be accepted until the close of record on a date and time not yet determined.

6. **A timetable for agency decisions or other action in the proceeding:**

None.

NOTICE OF RULEMAKING DOCKET OPENING

REAL ESTATE DEPARTMENT

1. **Title and its heading:** 4, Professions and Occupations

Chapter and its heading: 28, Real Estate Department

Article and its heading: 7, Compensation

Section numbers: R4-28-701

2. **The subject matter of the proposed rules:**

This notice updates the July 30, 1999, Notice of Rulemaking Docket Opening and proposes to repeal R4-28-701, Compensation Sharing Disclosure; Disclosure.

3. **A citation to all published notices related to the proceeding:**

Notice of Rulemaking Docket Opening: 5 A.A.R. July 30, 1999.

4. **Name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: John King, Deputy Director

Address: Real Estate Department
2901 N. 44th Street, Suite 100
Phoenix, Arizona 85018

Telephone: (602) 468-1414, Ext. 135

Fax: (602) 468-0562

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Oral or written comments will be accepted at the location listed in question #4. Written comments will be accepted between 8 a.m. and 5 p.m., Monday through Friday. Oral comments will be accepted between 8 a.m. and 4:30 p.m., Monday through Friday. Comments will be accepted until the close of record which has not been determined.

6. **A timetable for agency decisions or other action on the proceeding:**

Unknown.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA UNIFORM PLUMBING CODE COMMISSION

1. **Title and its heading:** 4, Professions and Occupations

Chapter and its heading: 48, Arizona Uniform Plumbing Code Commission

Article and its heading: 1, Arizona Uniform Plumbing Code

Section numbers: R4-48-103, R4-48-127, Table A, Table B, Table C, Table D, Table E, Table F, and Table G. (*Section numbers may be added, deleted, or modified during this rulemaking to address the subject matter in question #2.*)

2. **The subject matter of the proposed rules:**

The Arizona Uniform Plumbing Code Commission has adopted and amended the International Association of Plumbing and Mechanical Officials' (I.A.P.M.O.) 1994 Uniform Plumbing Code (U.P.C.), including its appendices (with the exception of appendices G, I, and J) and installation standards, as the state plumbing code. This rulemaking adopts new rule language and Appendix I with amendments.

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3. A citation to all published notices relating to the proceeding:

None published.

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: A. Hal Key, P.E.
Chairperson, Uniform Plumbing Code Commission

Address: c/o Arizona Registrar of Contractors
800 W. Washington, 6th Floor
Phoenix, Arizona 85007

Telephone: (602) 542-1525, Ext. 7445

Fax: (602) 542-1536

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Arizona Uniform Plumbing Code Commission meets the 3rd Tuesday of each month at 1:30 p.m. in the Grand Canyon Conference Room in the basement of the Arizona State Capitol, with the exception of November, when the Commission meets in Tucson. Oral comments will be accepted at these meetings. Written comments will be accepted at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Friday.

6. A timetable for agency decisions or other action on the proceeding, if known:

A public hearing on the proposed rulemaking will be determined at a later date. An announcement of the exact date, time, and place will be published in the *Arizona Administrative Register*.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. Title and its heading: 18, Environmental Quality

Chapter and its heading: 17, Department of Environmental Quality - Pollution Control

Article and its heading: 1, General

Section numbers: R18-17-102 (*Section numbers may be added, deleted, or modified to address the subject matter of the proposed rule.*)

2. The subject matter of the proposed rule:

This rulemaking docket is being opened to make a rule that will identify a substances list to be used by facilities in completing the annual toxic data report.

3. A citation to all published notices relating to the proceeding:

None published.

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Primary Contact

Name: Deborah K. Blacik

Address: Department of Environmental Quality
3033 North Central, 8th Floor
Phoenix, AZ 85012

Telephone: (602) 207-2223; 800-234-5677, Ext. 2223 (AZ only)

Fax: (602) 207-2251

Secondary Contact

Name: Martha Seaman

Address: Department of Environmental Quality
3033 North Central, 8th Floor
Phoenix, AZ 85012

Telephone: (602) 207-2222; 800-234-5677, Ext. 2222 (AZ only)

Fax: (602) 207-2251

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5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
None. This is an exempt rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Notice of Exempt Rulemaking is expected to be filed October 1999.